

BOARD OF SUPERVISORS MONTHLY MEETING February 10, 2015

The February Monthly Meeting of the Fairview Township Board of Supervisors was called to order at 6:30 PM in the Fairview Town Hall on Tuesday, February 10, 2015 by Chairman Jim Weizenegger with the Pledge of Allegiance. Other Board members in attendance were Supervisors Walt Richmond and Tom Dechmann, and Deputy Clerk-Treasurer Sharon Owen. Marla Yoho participated via Skype.

Richmond/ Dechmann/ Unanimous: Motion to accept the **Minutes of the January Monthly Meeting** as presented.

Treasurer's Report: Sharon reported the following month-end balances in the Township accounts: \$104,847.52 in Checking and \$177,433.37 in Money Market funds. Road & Bridge CDs total \$79,212.55 and the Community Projects CD is \$43,101.65. **Revenues for January totaled \$2,781.23** (\$5.43 interest, \$100.00 Electricity Reimbursement, \$2,675.80 Property Taxes; **Expenditures totaled \$7,095.94** (\$2,492.50 Road & Bridge, \$774.45 Fire; and \$3,828.99 General Gov't expenses).

Dechmann/ Richmond/ Unanimous: Motion to approve the Treasurer's Report as presented.

Birch Bay Rd/ S. Agate Shore DR SW: On January 23rd, Marla received a "Notice of Case Filing" advising that Birch Bay Resort Inc. had filed preliminary paperwork to file suit against Fairview Township as well as 13 other property owners along S. Agate Shore Dr. in reference to the "Application of Birch Bay RV Resort Inc. for the Vacation of the Right-of-Way of Part of Birch Drive as Depicted on Plat of Birch Bay on Agate"

On February 2nd, Marla sent a summary of the events of the last month concerning this property to MAT attorney, Kyle Hartnett. He forwarded the email on to the MATIT agency who advised that this was covered under our insurance policy. They put us in contact with Mr. Ken Bayliss, an attorney with the Quinlaven & Hughes firm out of St. Cloud. On Saturday, January 31st, Jim Weizenegger was served with a "Notice of Filing of Order" advising there is a court date scheduled on Monday, March 16th in Cass County Ninth Judicial Court.

Ken Bayliss is attending the meeting tonight to meet with the Board.

Weizenegger/ Dechmann/ Unanimous: Motion to move the meeting in **Closed Session** as per MN Statute 13D.05 Subd 3B for the purpose of disseminating information covered under Attorney-Client privilege with Attorney Ken Bayliss on the pending litigation with Birch Bay RV Resort Inc. concerning the vacation of a portion of Birch Bay Dr.

Dechmann/ Richmond/ Unanimous: Motion to reconvene the **Open Session** of the February Board Meeting at 7:20 PM.

Road Report:

The Township received an email from Chris Leighton concerning **Rardin Minimum Maintenance Rd.** in which he 1) requested that Jon Rardin continue to maintain the berm constructed along the top of his driveway, 2) voiced concern about the icy condition of the road and 3) asked that the township begin improving the minimum maintenance portion of the road in anticipation of him building a house there during the summer of 2016. Tom reviewed the road and had Marla send him a return email advising that 1) the township did have Rardins create the berm but advised Leighton an email dated 8/5/14 that he was responsible for maintaining it; 2) that portion of the road is designated and posted as minimum maintenance and could be barricaded at each end during the winter months, but the road condition does not warrant it at this time; and 3) the Township has taken steps to have the road cleared of stumps and large rocks, but will not upgrade the road classification and quality until the home after the construction equipment has cleared the site.

Walt Richmond advised that the **Pillager School Bus** is using **Richmond Rd** on a daily basis and should be raised to a priority on the snow plowing schedule.

Fire Report:

Walt reported this months' meeting was attended by two new representatives from Sylvan and May, as well as the new Assistant Fire Chief, Greg Ringler.

The Fire Dept. Budget for 2016 will remain the same as the 2015 budget.

The Association agreed to use half of the East Gull Lake contract assessment to reduce the 2015 Budget. The dollar amount was divided by the percentage paid by each member. The assessment paid by Fairview Township should be reduced by about \$5,000.

Natural gas will not be hooked up at Station #1 until spring.

The Fire Dept. received a 3 page letter from a disgruntled Sylvan resident who had a garage fire in December of 2013. In

the letter he listed 37 things that the Fire Dept. did wrong on the night of the fire. Randy has written a letter of rebuttal. There were 28 runs in January with 8 in Fairview including 5 medical runs to Ski Gull. Randy Lee is now tracking calls by month opposed to the old method of meeting-to-meeting.

There was an accident at the intersection of 18 and 77 in East Gull Lake. East Gull Lake Mayor, Dave Kavanaugh was there and was very impressed with the performance of the Pillager Fire crew.

Old Business:

Broadband Grant Update: On February 2nd the Border-to-Border Broadband grant recipients were announced in a press release and Consolidated Telephone was one of them. They were awarded \$2million for the \$4.3million Fairview and Ft Ripley project.

Kristi Westbrook said we can expect to see CTC and CNS trucks around our area very soon. They will be measuring and staking. They need to make sure how much fiber will actually be needed because there is apparently a shortage (or high demand) for it right now. They don't expect to be placing it in the ground until sometime between May and mid-July, with some areas possibly later than that depending how far they are from the core area. She says that some areas can expect to be hooked up by the end of the year.

On a less hopeful note, Erik Haapajoki told me the SOMA tower at Ski Gull will be coming down at the end of August so many people, including the town hall, will be out of internet service by then. We, at the town hall, may have to consider putting a second phone line back in and using dial up. It will be archaic, but the cheapest coverage we can get until the CTC connections can be made. We will discuss it later when we know what CTCs' schedule looks like.

Clerk's Report:

CCEDC: Gail Leverson called Marla last week and inquired about the status of the 2015 "membership" invoice that has not been paid. The Township has "donated" \$1,000 each year to CCEDC since 2001 (?). This year the CCEDC sent an invoice in the amount of \$1,050. Marla explained to Gail that the Board has been considering discontinuing their donation since they have not seen a direct impact from their investment. They would prefer to use those funds to support Mount Ski Gull, where their funds would not only directly fund jobs, but where the entire township can see the benefits and use the facility. The decision about whether to continue supporting the CCEDC will be made by the residents attending the Annual Meeting.

Weizenegger/ Dechmann/ Unanimous: Motion to approve payment of all Claims as submitted. (Aye: Richmond, Dechmann, Weizenegger).

10215	Xcel Energy	Natural Gas 12/11-1/14	168.14
20215	Crow Wing Power	Electricity 1/15-2/15	206.00
30215	CTC	Internet Access	44.95
40215	CenturyLink	Telephone	72.22
50215	PERA	Retirement	180.37
3835	Rardin Construction	Electrical Repairs	172.50
3836	Kevin's Plumbing	Fire Hall Lift Pump Repair	200.00
3837	Tom Dechmann	Administration 1/7-2/5 & Feb Mtg	125.12
3838	Sharon Owen	Administration 1/7-2/5 & Feb Mtg	251.99
3839	Walt Richmond	Administration 1/7-2/5 & Feb Mtg	233.87
3840	Jim Weizenegger	Administration 1/7-2/5 & Feb Mtg	141.50
3841	Marla Yoho	Administration 1/7-2/5 & Feb Mtg	582.22
3842	Rardin Excavating	Snow Removal to 1/29/15	5,720.00
3843	Roto Rooter	Fire Hall Lift Pump Repair	115.00
		TOTAL	\$8,213.88

Richmond/ Dechmann/ Unanimous: Motion to close the meeting at 8:20 PM.

Respectfully submitted,
Marla Yoho, Clerk

Chairman, Jim Weizenegger